

### **REMARKS/ARGUMENTS**

Claims 1-21 and 35-37 are pending and remain in the present application for further prosecution. Claims 1-6 and 15 have been currently amended. Claims 35-37 have been added.

#### **Allowed Claims / Claim Objection**

Claims 7-21 are allowed, except for a minor informality regarding claim 15. Specifically, claim 15 was objected because the term “third longitudinal axis” (in the eleventh line of the claim) should actually be “fourth longitudinal axis.” Claim 15 has been amended to comply with the Examiner’s request.

#### **Anticipation Rejections**

Claims 4-6 were rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent No. 4,334,321 to Edelman (“Edelman”). Specifically, the office action alleges that a telephone receiver 10 is an outer containing member having a cavity that contains optical fibers 17, 19, which thermally expand in response to light to cause displacement of an acoustical diaphragm 14.

Claim 4, which is the only independent claim of the rejected claims, has been amended to further clarify the claimed invention. Claim 4 is directed to an outer containing member “having an interior cladding” and a “core within said interior cladding,” the core containing a light-absorbing and expanding material “expanding in response to light impinging thereon and thereby resulting in displacement of said outer containing member.” Referring to Fig. 1 of the current application, the interior cladding can be, for example, “a surface 5 made of a variety of different materials.” *See also*, Detailed Description of Preferred Embodiments, ll. 8-13.

Edelman fails to anticipate claim 4 at least because 1) it does not disclose an interior cladding, and 2) it does not disclose an outer containing member that is displaced in response to a light-absorbing and expanding material that is located within the outer containing member.

First, none of the optical fibers 17, 19 disclosed by Edelman includes an interior cladding. Second, the telephone receiver 10 does not expand in response to light received via optical fibers 17, 19. The only components that expand are the optical fibers 17, 19. However, none of the

optical fibers 17, 19 include an outer containing member, an interior cladding, a core containing a light-absorbing and expanding material, etc.

At least for the applicable reasons stated above, the Applicants respectfully submit that claim 4, along with all the claims dependent therefrom, is not anticipated by Edelman.

### **Obviousness Rejections**

Claims 1-3 were rejected under 35 U.S.C. § 103(b) as being allegedly unpatentable over Edelman. As stated above in reference to claims 4-6, Edelman fails to disclose an interior cladding. Further, Edelman fails to disclose a solid light-absorbing and expanding member that is displaced in response to light impinging in an interior volume formed by the interior cladding and a core. The optical fibers 17, 19, which are the only expanding components disclosed by Edelman, do not meet the claim elements of claim 1.

At least for the applicable reasons stated above, the Applicants respectfully submit that claim 1, along with all the claims dependent therefrom, is patentable over Edelman.

### **New Independent Claim 37**

Claim 37 is not anticipated by or obvious over Edelman at least because Edelman fails to disclose an internal cladding surrounding at least a portion of an internal cavity of a solid member, wherein the solid member is displaced in response to light impinging on and causing expansion of an internal material located in the internal cavity. Further, Edelman fails to disclose the light being a "light of a plurality of wavelengths" or the "internal cladding redirecting scattered light of said light for absorption."

At least for the applicable reasons stated above, the Applicants respectfully submit that claim 37 is patentable over Edelman.

### **Conclusion**

It is the Applicants' belief that all the pending claims are now in condition for allowance, and thus reconsideration of this application is respectfully requested. If there are any matters which

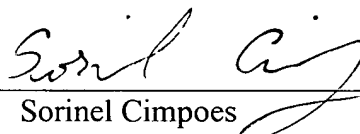
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may be resolved or clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at the number indicated.

It is believed that no fee is presently due. However, should any additional fees be required (except for payment of the issue fee), the Commissioner is authorized to deduct the fees from Jenkins & Gilchrist, P.C. Deposit Account No. 10-0447, Order No. 55218-00008USPX.

Respectfully submitted,

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